

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

STATE OF WASHINGTON,

Plaintiff,

v.

THE GEO GROUP, INC.,

Defendant.

CASE NO. 3:17-cv-05806-RJB

ORDER DENYING GEO'S  
MOTION FOR  
RECONSIDERATION OF ORDER  
COMPELLING DISCOVERY OF  
ITS CONFIDENTIAL FINANCIAL  
DOCUMENTS

THIS MATTER comes before the Court on Defendant the GEO Group, Inc.'s Motion for Reconsideration of Order Compelling Discovery of its Confidential Financial Information. Dkt. 142. The Court deems a Response by the Plaintiff the State of Washington unnecessary. W.D.Wash. Local Court Rule 7(h).

GEO seeks partial reconsideration of the Court's discovery order, which compelled GEO to produce certain financial documents. Dkt. 133 at 9, 10. GEO argues that the Court erred, because the financial documents are not relevant to the State's Unjust Enrichment claim, but

1 even if they are, the Court should explain how or why it reached the opposite conclusion and  
2 should reconsider bifurcating merits and damages. Dkt. 142 at 2, 5-7. GEO also argues that “new  
3 information” indicates that the compelled financial information is not sufficiently protected,  
4 because, GEO alleges, the State recently failed to observe confidentiality terms of the existing  
5 Protective Order. *Id.* at 2-5.

6 The motion should be denied. First, the Court reiterates that the financial documents it  
7 has compelled (Dkt. 133 at 9, 10) are discoverable. They fall within Rule 26(b), which limits  
8 discovery to matters that are “nonprivileged . . . relevant . . . and proportional to the needs of the  
9 case.” Fed. R. Civ. P. 26(b). To avoid making any findings on the merits of any claim  
10 prematurely, further comment on their relevance would appear imprudent.

11 Second, if the State has violated terms of the Protective Order, enforcing it by means of a  
12 motion for reconsideration would be improper, particularly where there is no indication that the  
13 parties have conferred about the issue. Further, if the existing Protective Order is insufficient, the  
14 parties should negotiate amendments thereto, and if they cannot agree, to file a motion.

15 GEO’s Motion for Reconsideration of Order Compelling Discovery of its Confidential  
16 Financial Information (Dkt. 142) is DENIED.

17 IT IS SO ORDERED.

18 The Clerk is directed to send uncertified copies of this Order to all counsel of record and  
19 to any party appearing *pro se* at said party’s last known address.

20 Dated this 17<sup>th</sup> day of October, 2018.

21 

22 ROBERT J. BRYAN  
23 United States District Judge  
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